

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**DSS Technology
Management, Inc.**

Plaintiff,

V.

**Intel Corporation;
Dell, Inc.; GameStop Corp.;
Conn's, Inc.; Conn Appliances, Inc.;
NEC Corporation of America;
Wal-Mart Stores, Inc.;
Wal-Mart Stores Texas, LLC;
AT&T Inc.**

Defendants.

Civil Action No. 6:15-cv-130

Jury Trial Demanded

**DSS TECHNOLOGY MANAGEMENT, INC.’S ANSWER TO GAMESTOP CORP.’S
COUNTERCLAIMS TO PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT
INFRINGEMENT**

Plaintiff/Counter-Defendant DSS Technology Management (“DSS”), hereby files this its Answer to GameStop Corp.’s (“GameStop”) Counterclaims to Plaintiff’s Original Complaint for Patent Infringement and in support thereof, states as follows:

COUNTERCLAIMS

1. Plaintiff/Counter-Defendant admits that GameStop is a corporation organized under the laws of Delaware with a principal place of business at 625 Westport Parkway, Grapevine, Texas 76051.

DSS TECHNOLOGY MANAGEMENT, INC.'S ANSWER TO GAMESTOP CORP.'S COUNTERCLAIMS TO PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

2. Plaintiff/Counter-Defendant admits that it maintains a place of business in Plano, Texas.

3. Plaintiff/Counter-Defendant admits that jurisdiction is conferred on this Court pursuant to at least 28 U.S.C. §§ 1331 and 1338(a).

4. Plaintiff/Counter-Defendant admits that venue is proper in this Tyler Division of the Eastern District of Texas district pursuant to 28 U.S.C. §1391(b), (c), and (d) and 28 U.S.C. § 1400(b).

**COUNTERCLAIM FOR A DECLARATION OF NON-INFRINGEMENT
OF UNITED STATES PATENT NO. 5,965,924**

5. In response to paragraph 5 of GameStop's Counterclaims, Plaintiff/Counter-Defendant incorporates by reference its above-responses to paragraphs 1 through 4 of GameStop's Counterclaims as if fully set forth herein.

6. Plaintiff/Counter-Defendant admits that GameStop seeks a declaration of non-infringement with respect to U.S. Patent No. 5,965,924, but otherwise denies the allegations in paragraph 6 of GameStop's Counterclaims.

7. Plaintiff/Counter-Defendant admits that an actual controversy exists between GameStop and DSS with respect to U.S. Patent No. 5,965,924.

8. Plaintiff/Counter-Defendant denies the allegations in paragraph 8 of GameStop's Counterclaims.

9. Plaintiff/Counter-Defendant denies the allegations in paragraph 9 of GameStop's Counterclaims.

**COUNTERCLAIM FOR A DECLARATION OF INVALIDITY
OF UNITED STATES PATENT NO. 5,965,924**

10. In response to paragraph 10 of GameStop's Counterclaims, Plaintiff/Counter-Defendant incorporates by reference its above-responses to paragraphs 1 through 9 of GameStop's Counterclaims as if fully set forth herein.

11. Plaintiff/Counter-Defendant admits that GameStop seeks a declaration of invalidity with respect to U.S. Patent No. 5,965,924, but otherwise denies the allegations in paragraph 11 of GameStop's Counterclaims.

12. Plaintiff/Counter-Defendant admits that an actual controversy exists between GameStop and DSS with respect to U.S. Patent No. 5,965,924.

13. Plaintiff/Counter-Defendant denies the allegations in paragraph 13 of GameStop's Counterclaims.

14. Plaintiff/Counter-Defendant denies the allegations in paragraph 14 of GameStop's Counterclaims.

**COUNTERCLAIM FOR A DECLARATION OF NON-INFRINGEMENT
OF UNITED STATES PATENT NO. 6,784,552**

15. In response to paragraph 15 of GameStop's Counterclaims, Plaintiff/Counter-Defendant incorporates by reference its above-responses to paragraphs 1 through 14 of GameStop's Counterclaims as if fully set forth herein.

16. Plaintiff/Counter-Defendant admits that GameStop seeks a declaration of non-infringement with respect to U.S. Patent No. 6,784,552, but otherwise denies the allegations in paragraph 16 of GameStop's Counterclaims.

17. Plaintiff/Counter-Defendant admits that an actual controversy exists between GameStop and DSS with respect to U.S. Patent No. 6,784,552.

18. Plaintiff/Counter-Defendant denies the allegations in paragraph 18 of GameStop's Counterclaims.

19. Plaintiff/Counter-Defendant denies the allegations in paragraph 19 of GameStop's Counterclaims.

**COUNTERCLAIM FOR A DECLARATION OF INVALIDITY
OF UNITED STATES PATENT NO. 6,784,552**

20. In response to paragraph 20 of GameStop's Counterclaims, Plaintiff/Counter-Defendant incorporates by reference its above-responses to paragraphs 1 through 19 of GameStop's Counterclaims as if fully set forth herein.

21. Plaintiff/Counter-Defendant admits that GameStop seeks a declaration of invalidity with respect to U.S. Patent No. 6,784,552, but otherwise denies the allegations in paragraph 21 of GameStop's Counterclaims.

22. Plaintiff/Counter-Defendant admits that an actual controversy exists between GameStop and DSS with respect to U.S. Patent No. 6,784,552.

23. Plaintiff/Counter-Defendant denies the allegations in paragraph 23 of GameStop's Counterclaims.

24. Plaintiff/Counter-Defendant denies the allegations in paragraph 24 of GameStop's Counterclaims.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff/Counter-Defendant prays for judgment against Defendant/Counter-Plaintiff as follows:

A. For judgment dismissing the counterclaims with prejudice;

- B. For a declaration that this is an exceptional case, and an award to Plaintiff/Counter-Defendant of its costs and attorneys' fees incurred herein;
- C. An award of the costs of this action; and
- D. That Plaintiff/Counter-Defendant be awarded such other and further relief as the Court may deem just and proper, including all relief requested in Plaintiff's Complaint.

Respectfully submitted,



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**ATTORNEY FOR PLAINTIFF
DSS TECHNOLOGY MANAGEMENT, INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served via the Court's electronic filing system on all counsel who have consented to electronic service on this the 4th day of May, 2015.



NIX PATTERSON & ROACH, L.L.P.